

United States Bankruptcy Court
Eastern District of Michigan
Southern Division at Detroit

Case No. 06-56983-SWR

In Re: **Charles R. Vanover**

Chapter 13

and: **Lisa A. Vanover**

Debtor(s).

Honorable **Steven W. Rhodes**

DEBTOR(S)' FIRST MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN

The above captioned Debtor(s) hereby move this Honorable Court to modify the Chapter 13 Plan as previously confirmed herein on the following basis:

1. This case was filed on November 17, 2006 and Debtor(s)' Chapter 13 Plan was confirmed herein on or about February 14, 2007. Debtor(s) have not previously moved to modify such confirmed Chapter 13 Plan.
2. A proposed Order Modifying Debtor(s)' Confirmed Chapter 13 Plan is attached as "Exhibit A." Also attached hereto are a Liquidation Analysis and Worksheet as required by L.B.R. 3015-1(b) E.D.M. (or a customary substitute in the form of a Chapter 13 Trustee TRAC computer system "Plan Calc II" analysis.)
3. Subsequent to the confirmation of Debtor(s)' Chapter 13 Plan, Debtor(s)' financial circumstances have changed and Debtor(s) are either desirous or in need of amending their Chapter 13 Plan as confirmed.
4. Debtors expenses have increased including increased medical expenses.
5. Debtors' Plan provides for a 100% dividend over 36 months.
6. Debtors may decrease their payments to provide for their increased expenses and still complete their Plan in 36 months with 100% dividend to unsecured creditors as indicated on the attached Plan Calc.

WHEREFORE, Debtor(s) hereby move(s) this Honorable Court to modify the Chapter 13 Plan as previously confirmed herein:

(a) **Decrease** Debtor(s) payments to \$517.11 per week from the date of filing this Motion until the completion of Debtor(s)' Chapter 13 Plan herein;

(b) **Leave Unchanged** the minimum required percentage payable to duly filed and allowed Class VIII claims to/at 100 percent (%);

but in all other respects to allow and required Debtor(s)' confirmed Chapter 13 Plan to remain unchanged.

/s/ Roberta W. Andrews

Dated: January 11, 2008

Samuel G. Firebaugh (P-34276)
Roberta W. Andrews (P-54001)
Firebaugh & Andrews, P.L.L.C.
Attorney(s) for Debtor(s)
38545 Ford Road, Suite 104
Westland, MI 48185
(734) 722-2999
FirebaughAndrews@comcast.net

United States Bankruptcy Court
Eastern District of Michigan
Southern Division at Detroit

Case No. 06-56983-SWR

In Re: **Charles R. Vanover**

Chapter 13

and: **Lisa A. Vanover**

Debtor(s).

Honorable **Steven W. Rhodes**

ORDER MODIFYING DEBTOR(S)' CONFIRMED CHAPTER 13 PLAN

Debtor(s) having filed a First Motion To Modify Confirmed Chapter 13 Plan, and no objections or response having been filed, or a hearing having been held, and it appearing to the Court that good cause exists for the relief requested by Debtor(s), and the Court being otherwise advised, **NOW THEREFORE**,

IT IS HEREBY ORDERED that effective as of the filing date of Debtor(s)' First Motion To Modify Confirmed Chapter 13 Plan, Debtor(s)' Chapter 13 Plan as previously confirmed herein on or about February 14, 2007, is hereby modified only as follows:

(a.) Debtor(s)' payments are **DECREASED** to \$517.11 per week until completion of Debtor(s)' Chapter 13 Plan;

(b.) The minimum percentage (%) payable to duly filed and allowed Class VIII claims is **LEFT UNCHANGED** to/at one-hundred (100) percent (%);

IT IS FURTHER ORDERED that in all other respects Debtor(s)' confirmed Chapter 13 Plan, as most recently modified if at all, shall remain unchanged.

dated: _____

Honorable **Steven W. Rhodes**
United States Bankruptcy Judge

United States Bankruptcy Court
Eastern District of Michigan
Southern Division at Detroit

Case No. 06-56983-SWR

In Re: **Charles R. Vanover**

Chapter 13

and: **Lisa A. Vanover**

Debtor(s).

Honorable **Steven W. Rhodes**

ORDER MODIFYING DEBTOR(S)' CONFIRMED CHAPTER 13 PLAN

Debtor(s) having filed a First Motion To Modify Confirmed Chapter 13 Plan, and no objections or response having been filed, or a hearing having been held, and it appearing to the Court that good cause exists for the relief requested by Debtor(s), and the Court being otherwise advised, **NOW THEREFORE**,

IT IS HEREBY ORDERED that effective as of the filing date of Debtor(s)' First Motion To Modify Confirmed Chapter 13 Plan, Debtor(s)' Chapter 13 Plan as previously confirmed herein on or about February 14, 2007, is hereby modified only as follows:

(a.) Debtor(s)' payments are **DECREASED** to \$517.11 per week until completion of Debtor(s)' Chapter 13 Plan;

(b.) The minimum percentage (%) payable to duly filed and allowed Class VIII claims is **LEFT UNCHANGED** to/at one-hundred (100) percent (%);

IT IS FURTHER ORDERED that in all other respects Debtor(s)' confirmed Chapter 13 Plan, as most recently modified if at all, shall remain unchanged.

dated: _____

Honorable **Steven W. Rhodes**
United States Bankruptcy Judge



13Network

FIREBAUGH & ANDREWS PLLC Case Query

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06-56983-SWR CHARLES R VANOVER (xxx-xx-0760) 43260 JUDD ROAD • • BELLEVILLE • MI • 48111 \$680.96 WK/ Bar Date(s): 4/5/2007 (has passed) 5/16/2007 (has passed)
LISA A VANOVER (xxx-xx-4571)
Print Inquiry Trustee: Krispen S. Carroll Attorney: FIREBAUGH & ANDREWS PLLC
Confirmed: 2/16/2007 Case Status: OPEN/ACTIVE

The data on these pages has not been audited and is provided for general information only.

11 Month(s) since Confirmation UP = \$0.00 TPI = \$39,931.40 BOH = \$680.00									
Line	Name	Claimed Amount	Mortgage Due	Coll / Value	Interest Rate	Monthly Payment	To Be Paid	Mo	
1	ATTORNEY FEE								
2	FIREBAUGH & ANDREWS PLLC	\$2,000.00		\$2,000.00			\$2,000.00		
3	ADDED CREDITOR								
4	OCWEN FEDERAL BANK	\$7,496.28				\$208.23			
5	ADDED CREDITOR								
6	CONT'G DEBT (USE IN PLAN CALC)								
7	ADDED CREDITOR								
8	ADDED CREDITOR								
9	ADDED CREDITOR								
10	CURR MTG								
11	OCWEN FEDERAL BANK					\$1,481.76	\$35,562.24		
12	ADDED CREDITOR								
13	ADDED CREDITOR								
14	EXEC CONTRACT								
15	ADDED CREDITOR								
16	POST-PET/PRE-CONF MTG PYMTS								
17	ADDED CREDITOR								
18	ADDED CREDITOR								
19	PRIORITY								
20	WAYNE COUNTY FRIEND/COURT	\$5,000.00		\$4,000.00	8.0000	\$574.24	\$4,109.75	7	
21	ADDED CREDITOR								
22	ADDED CREDITOR								
23	PROP TAX								
24	ADDED CREDITOR								

Change Line# 0 OK Plan Terms 24 Calc Unsecured % 100 Calc Due to Creditors: \$2,130.57 Due to Debtors: \$54,458.78
Restart Trustee's % 3.5 Lump Sum \$ 680.00 In from Debtor: \$2,239.09 \$54,459.44
Delete Line 0 OK

Debtor 1 Pay Schedules

Who's Paying	Amount	Schedule	UpdCalc
ROCKWELL TRANSP	\$517.11	WEEKLY	\$?
CHARLES R VANO	\$0.00	MONTHLY	\$?

Debtor 2 Pay Schedules

Who's Paying	Amount	Schedule	UpdCalc
LISA A VANOVER	\$0.00	MONTHLY	\$?

N. LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY [LBR 3015-1(b)(1)]:

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE	208,000.00	205,300.00	2,700.00	2,700.00	0.00
VEHICLES	15,100.00	15,000.00	100.00	100.00	0.00
HHG/PERSONAL EFFECTS	6,500.00	0.00	6,500.00	6,500.00	0.00
JEWELRY	500.00	0.00	500.00	500.00	0.00
CASH/BANK ACCOUNTS	45.00	0.00	45.00	45.00	0.00
OTHER	10,300.00	0.00	10,300.00	10,300.00	0.00

Amount available upon liquidation.....	\$	<u>0.00</u>
Less administrative expenses and costs.....	\$	<u>0.00</u>
Less priority claims.....	\$	<u>5,000.00</u>
Amount Available in Chapter 7.....	\$	<u>0.00</u>

United State Bankruptcy Court
Eastern District of Michigan
Southern Division at Detroit

Case No. 06-56983-SWR

In Re: **Charles R. Vanover**

Chapter 13

and: **Lisa A. Vanover**

Debtor(s).

Honorable **Steven W. Rhodes**

**NOTICE OF DEBTOR(S)' FIRST MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN
AND TWENTY(20)-DAY OPPORTUNITY TO RESPOND**

Debtor(s) have filed papers with the Court requesting that Debtor(s) Chapter 13 Plan as it was previously confirmed (or subsequently modified) herein, now be modified or changed or further modified or changed.

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Debtor(s)' First Motion To Modify Confirmed Chapter 13 Plan, within Twenty(20) days, you or your attorney must:

1. File with the Court a written response or answer, explaining your position at: *

United States Bankruptcy Court
211 West Fort Street, Suite 2100
Detroit, Michigan 48226

If you mail your response to the Court for filing, you must mail it early enough so that the Court will RECEIVE IT on or before the date stated above.

You must also mail a copy to:

Firebaugh & Andrews, P.L.L.C.
38545 Ford Road, Suite 104
Westland, Michigan 48185

2. If a response or answer is timely filed and served, the Clerk will schedule a hearing on the Motion and you will be served with a notice of the date, time and location of the hearing.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION OR OBJECTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF.

/s/ Roberta W. Andrews

Dated: January 11, 2008

Samuel G. Firebaugh (P-34276)
Roberta W. Andrews (P-54001)
Firebaugh & Andrews, P.L.L.C.
Attorney(s) for Debtor(s)
38545 Ford Road, Suite 104
Westland, Michigan 48185
(734) 722-2999
FirebaughAndrews@comcast.net

* Response or answer must comply with F.R. Civ. P. 8(b), (c) and (3)

United States Bankruptcy Court
Eastern District of Michigan
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In Re: **Charles R. Vanover**
Lisa A. Vanover
Debtor(s).

Case No. 06-56983-SWR
Chapter 13
Judge **Steven W. Rhodes**

PROOF OF SERVICE

I, the undersigned, certify under penalty of perjury that on January 11, 2008, I served copies of the following document(s) filed in the above captioned case:

1. **DEBTOR(S)' FIRST MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN**
(dated: January 11, 2008), together with all exhibits and attachments, if any;
2. **"EXHIBIT A"** (proposed Order attached to above Debtor(s)' First Motion to Modify);
3. **NOTICE DEBTOR(S) FIRST MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN AND TWENTY(20)-DAY OPPORTUNITY TO RESPOND**

upon all those parties specified on the matrix list attached hereto, at the addresses specified for said parties on such matrix list, all by first class mail with fully prepaid postage affixed.

Dated: January 11, 2008



Patricia Johnson, Legal Assistant
Firebaugh & Andrews, P.L.L.C.
Attorney(s) for Debtor(s)
38545 Ford Road, Suite 104
Westland, MI 48185
(734) 722-2999
FirebaughAndrews@comcast.net

Label Matrix for local noticing
0645-2
Case 06-56983-swr
Eastern District of Michigan
Detroit
Fri Jan 11 14:56:21 EST 2008

Roberta W. Andrews
38545 Ford Rd.
Suite 104
Westland, MI 48185-7901

B-Line, LLC/Applied Card Systems, Inc.
Mail Stop 550
2101 Fourth Ave., Suite 1030
Seattle, WA 98121-2317

Bronson & Migliaccio, LLP
415 Lawrence Bell Drive
Williamsville, NY 14221-7805

Capital One Bank
c/o Tsys Debt Management
PO Box 5155
Norcross, GA 30091-5155

DTE Energy
3200 Hobson Street
Detroit, MI 48201-2927

ER Solutions, Inc.
800 SW 39th Street
P.O. Box 9004
Renton, WA 98057-9004

Marcy J. Ford
31440 Northwestern Highway
Suite 200
Farmington Hills, MI 48334-5422

Ford Motor Credit Company
c/o Brad Brelinkski
903 North Opdyke Rd., Suite C
Auburn Hills, MI 48326-2693

Richardo I. Kilpatrick
903 N. Opdyke Rd.
Suite C
Auburn Hills, MI 48326-2693

14A-2 District Court
attn: Civil Division
415 West Michigan Avenue
Ypsilanti, MI 48197-5326

Applied Card Bank
Bancard Center
P.O. Box 11170
Wilmington, DE 19850-1170

Bluegreen Vacation Club
4960 Conference Way North, Suite 100
Boca Raton, FL 33431-3311

Kelley Callard
31440 Northwestern Highway
Suite 200
Farmington Hills, MI 48334-5422

Krispen S. Carroll
719 Griswold
1100 Dime Building
Detroit, MI 48226

Daniel E. Hunter
2154 Washtenaw Road
Ypsilanti, MI 48197-1708

Fingerhut Direct Marketing
6250 Ridgewood Road
Saint Cloud, MN 56303-0820

Ford Motor Credit Company
Drawer 55-953
P.O. Box 55000
Detroit, MI 48255-0001

Michael P. Hogan
903 N. Opdyke Rd.
Suite C
Auburn Hills, MI 48326-2693

Kilpatrick and Associates, P.C.
on behalf of Wayne County Treasurer
903 North Opdyke Road, Suite C
Auburn Hills, Michigan 48326-2693

Account Solutions Group, LLC
205 Bryant Woods South
Amherst, NY 14228-3609

Asset Acceptance LLC
P O BOX 2036
Warren, MI 48090-2036

Brad Brelinkski
903 N. Opdyke Road
Suite C
Auburn Hills, MI 48326-2693

Capital One
P.O. Box 30285
Salt Lake City, UT 84130-0285

Cross Country Bank Legal Department
P.O. Box 15809
Wilmington, DE 19850-5809

Duvera Financial
5620 Paseo Del Norte, Suite 127-233
Carlsbad, CA 92008-4461

Samuel Firebaugh
38545 Ford Road
Suite 104
Westland, MI 48185-7901

Ford Motor Credit Company
National Bankruptcy Service Center
P.O. Box 537901
Livonia, MI 48153-7901

Monica NaSha Hunt
903 North Opdyke
Suite C
Auburn Hills, MI 48326-2693

LVNV Funding LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

MCI
Consumer Markets
500 Technology Drive, Suite 82
Weldon Springs, MO 63304-2208

Marcy J. Ford
Trott & Trott, P.C.
30400 Telegraph Road, Suite 200
Bingham Farms, MI 48025-4537

Heather D. McGivern
38545 Ford Road
Suite 104
Westland, MI 48185-7901

Merchants & Medical Credit Corp.
6324 Taylor Drive
Flint, MI 48507-4685

Michigan State Disbursement Unit
P.O. Box 30354
Lansing, MI 48909-7854

Ms. C.Jane Varner, Interim Friend of
the Court; 3rd Circuit Court - FOC
Penobscot Building, Room 324
645 Griswold
Detroit, MI 48226-4105

NCO Financial Systems, Inc.
507 Prudential Road
Horsham, PA 19044-2368

Oakwood Healthcare System
attn: Patient Accounts
23400 Michigan Avenue, Suite 1000
Dearborn, MI 48124-1999

Ocwen Loan Servicing, LLC
12650 Ingenuity Drive
Orlando, FL 32826-2703

PayPal
P.O. Box 660433
Dallas, TX 75266-0433

Penn Credit Corporation
P.O. Box 988
Harrisburg, PA 17108-0988

Penny Briton
956 Holmes Road
Ypsilanti, MI 48198-3854

Portfolio Recovery Associates, LLC
PO BOX 12914
Norfolk, VA 23541-0914

Providian
P.O. Box 660443
Dallas, TX 75266-0443

Steven W. Rhodes
2
211 West Fort Street
Room 1800
Detroit, MI 48226-3229

Roundup Funding LLC
Mail Stop 550
PO Box 91121
Seattle WA 98111-9221

Ruby Erhart
43254 Judd Road
Belleville, MI 48111-9197

Scholastic
2931 East McCarty Street
Jefferson City, MO 65101-4468

Sumpter Township Water Department
23480 Sumpter Road
Belleville, MI 48111-9679

Target National Bank
TARGET
c/o Weinstein & Riley, P.S.
2101 Fourth Ave., Suite 900
Seattle, WA 98121-2339

Target National Bank
c/o Target Credit Services
P.O. Box 1581
Minneapolis, MN 55440-1581

Township of Sumpter, Treasurer
23480 Sumpter Road
Belleville, MI 48111-9679

Transcon Financial
12012 South Shore Boulevard, Suite 209
West Palm Beach, FL 33414-6206

Trott & Trott, P.C.
Attorneys-at-Law
30400 Telegraph Road, Suite 200
Bingham Farms, MI 48025-4537

Charles R. Vanover
43260 Judd Road
Belleville, MI 48111-9197

Lisa A. Vanover
43260 Judd Road
Belleville, MI 48111-9197

Viking Collection Service Inc.
7500 Office Ridge Circle
Eden Prairie, MN 55344-3782

Wayne County FOC
c/o Michigan State Disbursement Unit
P.O. Box 30351
Lansing, MI 48909-7851

Wayne County Treasurer
400 Monroe Street - 5th Floor
Detroit, MI 48226-2984

Wayne County Treasurer
c/o Richardo I. Kilpatrick
615 Griswold, Suite 1004
Detroit, MI 48226-3985

Wells Fargo Bank, N.A.
12650 Ingenuity Dr
Orlando, FL 32826-2703

Wells Fargo Bank, N.A.
c/o Marcy J. Ford
30400 Telegraph Rd., Ste. 200
Bingham Farms, MI 48025-4537

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)903 N. Opdyke Road, Suite C

(u)Auburn Hills, MI 48326

(u)Ford Motor Credit Company

(du)Ford Motor Credit Company

(u)Kilpatrick & Associates

(u)Washtenaw County Friend of the Court

(u)Wayne County Treasurer

(u)Wells Fargo Bank, N.A.

(u)c/o Richardo I. Kilpatrick

(u)washt

End of Label Matrix
Mailable recipients 61
Bypassed recipients 10
Total 71